

RECEIVED

JUN 14 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

IDWR / NORTH

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-954	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Donna Jean Kyle

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Theresa J. McGinnis, Rachel M. Rains, Jeffery T. Kyle

New owner(s) as listed on the conveyance document

Name connector

☐ and☒ or☐ and/or

308 E. Broad Ave.

Spokane

WA

99201-1522

Mailing address

City

State

ZIP

509-483-7401

teri.mcgin@gmail.com

Telephone

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: June 1, 2018

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following REQUIRED items:

- ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☐ Filing fee (see instructions for further explanation):
 o \$25 per undivided water right.
 o \$100 per split water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Theresa J. McGinnis

Signature of new owner/claimant

Title, if applicable

Date

Signature: Jeffery T. Kyle

Signature of new owner/claimant

Title, if applicable

Date

Rachel M. Rains

For IDWR Office Use Only:

Received by

N/A

Date

N/A

Receipt No.

N/A

Receipt Amt.

N/A

Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9

Approved by

Processed by

Date

6-29-2018

RECORDING FEE: \$15.00

DD

AFTER RECORDING RETURN TO:

Patrick W. McNulty
Randall | Danskin, P.S.
601 West Riverside Ave., Ste. 1500
Spokane, WA 99201

Deed of Personal Representative

DOUGLAS W. KYLE, as the duly appointed, qualified and acting Domiciliary Foreign Personal Representative of the Estate of Donna J. Kyle, Deceased, having been so appointed pursuant to a "PROOF OF AUTHORITY OF DOMICILIARY FOREIGN PERSONAL REPRESENTATIVE" filed in Case No. CV17-9273 in the District Court of the First Judicial District of the State of Idaho, in and for the County of Kootenai, on the 13th day of December, 2017, herein the **GRANTOR**, does hereby grant and convey, in undivided one-third (1/3) interests, unto THERESA J. MCGINNIS, as her sole and separate property, JEFFREY T. KYLE, as his sole and separate property, and ROCHELLE M. RAINS, as her sole and separate property, the **GRANTEE**, whose address is 308 E. Broad, Spokane, WA 99207, all of the right, title and interest of the Decedent at the time of her death in and to the following-described real property, situate in the County of Kootenai, State of Idaho:

Parcel 1:

Lot 2, Block 2, EXCELSIOR BEACH, according to the plat recorded in Book C of Plats, page 17, records of Kootenai County, State of Idaho.

Parcel 2:

An undivided one/twenty-ninth (1/29th) interest in and to Lots 16 and 17, HILLRISE ADDITION, according to the Plat recorded in Book "E" of Plats at page 27, records of Kootenai County, State of Idaho.

SUBJECT TO: all covenants, easements and restrictions of record, including that certain Tenant in Common Agreement recorded as Instrument No. 2291103000, records of Kootenai County Recorder, and any amendments thereto. The Grantee, their heirs and assigns shall be bound to and obligated by the terms of the Tenant in Common Agreement; and including all acquired title.

Reference is hereby made to the Last Will and Testament of Donna J. Kyle, dated February 18, 1998, admitted to probate in the Superior Court of the State of Washington, in and for the County of Stevens, under Cause No. 2017-4-00110-0, and a Settlement Agreement dated August 21, 2017, filed under Cause No. 2017-4-00110-0, authenticated copies of which are filed in Case No. CV17-9273, in the District Court of the First Judicial District of the State of Idaho, in and for the County of Kootenai, and the provisions of Chapter 7, Title 15, Article III, of the Idaho Code, this Deed given pursuant to the authority therein granted.

24th IN WITNESS WHEREOF, the Grantor has hereunto caused this instrument to be executed this day of April, 2018.

**THE ESTATE OF DONNA J. KYLE,
DECEASED**

By [Signature]
Douglas W. Kyle
Domiciliary Foreign Personal Representative

STATE OF WASHINGTON)
 : ss.
County of Stevens)

I certify that I know or have satisfactory evidence that DOUGLAS W. KYLE is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the **Personal Representative of the ESTATE OF DONNA J. KYLE, Deceased**, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument, and that Letters Testamentary authorizing him to act on behalf of said estate are still in full force and effect.

Dated: April 24th, 2018.



Debbie K Peters
Print Name: Debbie K Peters
Notary Public in and for the State of
Washington, residing at Colville, WA
My commission expires: 7-22-2018

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 29, 2018

THERESA J MCGINNIS
ROCHELLE M RAINS
JEFFREY T KYLE
308 E BROAD AVE
SPOKANE WA 99207-1522

SUBJECT: Ownership Change on Notice of Claim Number(s) 95-954

Dear Claimants:

We have processed your change of ownership request on the Notice of Claim to a Water Right Number(s) listed above. Enclosed is a copy of the claim showing such change; for your records. Also, this information can be accessed on our website at www.idwr.idaho.gov.

Sincerely,

Dawn R. Lenon
Technical Records Specialist 1

Enclosure(s) Notice of Claim 95-954